

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 35

August 26, 2003

SUBJECT: DUTY TO ASSESS A SUPERVISOR'S RESPONSE TO A CATEGORICAL USE OF FORCE

PURPOSE: As mandated by the Consent Decree, commanding officers are required to analyze a supervisor's response to a Categorical Use of Force incident (3/794.37). To ensure compliance with this mandate, this Order clarifies and expands a commanding officer's responsibility to ensure his/her findings are properly documented and included in a supervisor's next performance evaluation.

PROCEDURE:

I. DUTY TO ASSESS SUPERVISORIAL RESPONSE. Within seven calendar days of a Categorical Use of Force incident, the commanding officer of a supervisor who responds to a Categorical Use of Force, in consultation with Critical Incident Investigation Division (CIID), shall:

- * Analyze the circumstances surrounding the presence or absence of a supervisor at a Categorical Use of Force incident;

Note: For purposes of this Order, "supervisor" is defined as the first responding supervisor to a Categorical Use of Force incident, not a supervisor who was a witness or an involved party. The analysis shall also address the response of any subsequent supervisor(s) who assumes command of the incident.

- * Determine if a supervisor's response to, and actions at, the incident were appropriate (i.e., ensuring medical treatment was provided, facilitating the search for outstanding suspects and/or weapons, establishing a perimeter, protecting the crime scene, canvassing for witnesses, ensuring separation of officers, bringing appropriate resources to the scene, promptly notifying the Department Command Post, etc.);
- * Identify training issues, if any;
- * Document the analysis on an Employee Comment Sheet, Form 1.77, as outlined in Manual Section 3/760.13. The documented analysis shall reflect specificity and individuality;

- * Discuss the commanding officer's analysis with the involved supervisor(s);
- * Take appropriate administrative action as necessary; and,
- * File the Employee Comment Sheet in the divisional Comment Sheet file, and ensure the information is taken into account in the supervisor's next performance evaluation.

Note: Lieutenants in charge of Area detective divisions as commanding officers shall not conduct this assessment.

The involved employee's commanding officer shall prepare and forward an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, CIID, no later than seven calendar days following the incident confirming that an assessment was conducted. The 15.2 shall contain the following:

- * CIID case number;
- * Date of occurrence;
- * Name and serial number of the supervisor(s) assessed; and,
- * Date the analysis was conducted.

AMENDMENTS: This Order amends Section 3/794.37 of the Department Manual.

AUDIT RESPONSIBILITY. The Commanding Officer, Detective Bureau, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

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